

The Honorable Robert S. Lasnik

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

THE COALITION TO PROTECT PUGET
SOUND HABITAT,
Plaintiff,
v.
U.S. ARMY CORPS OF ENGINEERS, *ET*
AL.,
Defendants,
and
TAYLOR SHELLFISH COMPANY, INC.,
Defendant-Intervenor.

No.: 2:16-CV-00950-RSL

**DECLARATION OF MIKE J
SARGETAKIS IN SUPPORT OF
COALITION MOTION FOR AN AWARD
OF FEES AND EXPENSES**

CENTER FOR FOOD SAFETY,
Plaintiff,
v.
U.S. ARMY CORPS OF ENGINEERS, *ET*
AL.,
Defendants,
and
PACIFIC COAST SHELLFISH GROWERS
ASSOCIATION.
Defendant-Intervenor.

No.: 2:17-CV-01209-RSL

I, Mike J. Sargetakis, Declare:

1. I am one of the attorneys who assisted plaintiff Coalition to Protect Puget Sound Habitat (the Coalition) in this matter. I am over the age of 18 years. If called as a witness I would and could testify to the following as a matter of my own personal knowledge.

2. I graduated from Northwestern School of Law at Lewis & Clark College in 2017, where I also earned a Certificate in Natural Resource Law.

3. While enrolled in law school, I was a law clerk for Earthrise Law Center from 2015-2016. During that time I assisted staff attorneys and professors with complex federal environmental litigation matters. While enrolled in law school, I was also a law clerk for the Utah Supreme Court. In addition, while enrolled in law school, I was at one point a law clerk for the Law Office of Karl G. Anuta, where I assisted Mr. Anuta with numerous complex federal environmental litigation matters from 2016 until I was admitted to practice law.

1 4. I was admitted to the bar of the State of Oregon in 2017. I was admitted to
2 practice before the United States District Court for the District of Oregon in 2018. I was
3 admitted to practice before the Ninth Circuit Court of Appeals in 2019.

4 5. Since my initial admission to practice law in 2017, I have managed my
5 own solo practice, and since 2019 I have managed a small firm. As a partner in a small
6 firm, I am responsible for covering the costs of operating the firm, and as a result I bear
7 a significant risk in taking cases on a contingency basis. Since my initial admission to
8 practice law, I have been involved in complex state and federal environmental litigation.
9

10 6. As a result of my training and experience, I possess distinctive knowledge
11 and specialized skills in environmental and natural resources law. Since entering private
12 practice, the majority of my experience has been in the area of environmental law. I
13 have represented numerous public interest environmental organizations in
14 administrative matters, as well as in litigation.
15

16 7. I have provided to Mr. Anuta my contemporaneously kept time records for
17 this case, which provides a true and accurate recording of my time. As those time
18 records show, I spent 346.49 hours on this litigation. Of that, we are only seeking
19 recovery for 325.32 hours.

20 8. My time was primarily spent organizing and reviewing the voluminous
21 Record, researching and drafting briefs for the Cross Motions for Summary Judgment,
22 assisting Mr. Anuta and Mr. Tienson in preparing for oral argument, researching and
23 drafting briefs on the remedy issue, and researching and drafting the Motion and
24 Memorandum in support of an award of Fees.
25

26 9. I have carefully exercised billing discretion and judgment to try to remove
27 any time that was in my view excessive or duplicative from the hours for which we seek

1 recovery. I have also been careful to not seek recovery for work that I performed that
2 could have been performed by a non-attorney. I reviewed my time records prior to the
3 filing of this Motion for an award of attorney's fees. The hours for which recovery is
4 sought were reasonably spent on work necessary to advance this litigation and to help
5 plaintiff achieve the success that it did.

6 10. Time I spent working on this case took away time which could have been
7 spent on work for other clients.

8 11. I seek \$300/hr for my time spent on this case.

9 12. Based on my personal knowledge of billing practices of attorneys in
10 private practice in Washington and Oregon, the other Declarations submitted
11 concurrently with this Declaration, and the information provided in those Declarations
12 and in the Motion and Memorandum in Support, I believe the hourly rates sought for my
13 self, for Mr. Anuta, and for Mr. Tienson, are all reasonable market rates for attorneys
14 practicing in the Seattle area, performing complex environmental litigation, with the
15 respective background and expertise of each attorney.
16
17

18 I declare under penalty of perjury under the laws of the state of Washington and
19 pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

20 Executed on this 18th day of September, 2020.

21 Respectfully submitted,

22 /s/ Mike J. Sargetakis
23 Mike J. Sargetakis
24 Oxbow Law Group, LLC
25 620 SW Main St
26 Suite 706
27 Portland, OR 97205

CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2020 I electronically filed this
DECLARATION OF MIKE J. SARGETAKIS IN SURPPOORT OF COALITION MOTION
FOR AN AWARD OF FEES AND EXPENSES with the Clerk of the Court using the
CM/ECF system which will send notification of such filing on the following:

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Dated this 18th day of September 2020.

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